

June 3, 2003

A regular meeting of the Redmond City Council was called to order by Mayor Rosemarie Ives at 7:30 p.m. in the Council Chambers. Councilmembers present were: Cole, Dorning, McCormick, Paine, Plackett and Robinson.

#### EXCUSE COUNCILMEMBER MISENAR

Motion by Mr. Cole, second by Ms. McCormick, to excuse Councilmember Misenar. Motion carried unanimously (6 - 0).

#### ITEMS FROM THE AUDIENCE

Gloria Oren, 18221 NE 24 Street, said when Redmond was a young city there was room for everyone, but now we are at 46,000 and still growing. She said her neighbors of 17 years sold their home and the new neighbors widened their driveway; now they are trying to keep the Orens from backing into the property. She urged the Council to adopt King County Ordinance No. 13274, regarding vehicular access on which a joint use driveway is located. She gave the Council photographs of the situation.

The Mayor said staff would review this issue and report back.

Colette Norby Slycord, 9514 163 Place NE, said she lives on Education Hill across from Reservoir Park. She recalled a discussion at a recent neighborhood party about illegal activities in the park after dark. She explained she has threatened to call the police, and last summer did talk to the Redmond Police Department, but was told to call the Bellevue Police Department. She also called 911 when teens were vandalizing the park and throwing glass and garbage cans, but they ran away when the officers approached. The officers told her that homeowners who live in an urban area should expect problems like this. She concluded the neighbors do not want their neighborhood to turn into a drinking and drug area. She asked for suggestions about what to do.

The Mayor said the Redmond Police Department has resources to work with the neighborhood. She encouraged the neighbors to call 911 if the problem should happen again.

Councilmember Dorning asked Commander Billington to report back to the Council.

#### CONSENT AGENDA

Motion by Ms. Dorning, second by Ms. McCormick, to approve the following items of the Consent Agenda:

(1) approve the minutes of the regular meeting of May 20, 2003 and special meeting of May 27, 2003

(2) approve the following payroll/direct deposit and claims checks:

PAYROLL/DIRECT DEPOSIT CHECKS:

#154991 through 155116  
#110053 through 110623     \$1,195,886.50

CLAIMS CHECKS:

#205692 through 206080     \$2,844,483.34

(3) approve Amendment No. 2 extending the term of the Interlocal Agreement establishing the Washington City and County Pipeline Consortium, and authorize the Mayor to sign the amendment

(4) approve the Business Tax/Transportation Improvement Committee recommendation for the use of \$60,000 in 1997-2000 business tax surcharge revenues previously allocated for a shuttle program to fund Redmond's portion of the installation of two pedestrian signals on 148 Avenue NE, a joint improvement project with the City of Bellevue

(5) accept the final plat of Pheasant Ridge, PPL 99-002, and authorize the Mayor to sign the final approval order

(7) adopt Ordinance No. 2163, granting Puget Sound Energy, Inc., a Washington corporation, the right, privilege and authority and franchise to set, erect, construct, support, attach, connect and stretch facilities between, maintain, repair, replace, enlarge, operate and use facilities in, upon, under, along and across the franchise area for purposes of transmission, distribution and sale of electrical energy for power, heat, light and any other purpose for which such energy can be used, which was presented and read.

Upon a poll of the Council, Cole, Dorning, McCormick, Paine, Plackett, and Robinson

voted aye. Motion carried unanimously (6  
- 0).

SEWER SERVICE OUTSIDE CITY LIMITS FOR FRITCHMAN RESIDENCE, OSA  
02-002

Councilmember Cole said there has been an ongoing discussion about the city providing sewer outside the city limits, and he asked the City Attorney to comment.

James E. Haney, City Attorney, said the new annexation law that was signed by the Governor became effective immediately; it says that annexation of an area requires approval by the property owners owning a majority of acreage in the annexation area as well as the majority of the registered voters. He added the city's Utility Extension Agreement will have to be modified to accommodate the new law.

Councilmember Dorning asked would the homeowner be required to pay to hook into the sewer? David Rhodes, Director of Public Works, answered in the affirmative. Councilmember Dorning said in that case, she had no objection.

Motion by Ms. Dorning, second by Ms. McCormick, to authorize sewer service outside the city limits to Gary Fritchman at 7804 132 Avenue NE, subject to the following condition: the Owner shall execute a Utility Extension Agreement with the city as required by Chapter 13.36 Redmond Municipal Code, outlining the conditions for extension of service and requiring the Owner to sign a petition for annexation of the property to the city, at such time as the city requests; and authorize the Mayor to sign a Utility Extension Agreement for this service in a form approved by the City Attorney in accordance with Chapter 13.36 Redmond Municipal Code.

Councilmember Paine asked for clarification regarding how this situation differs from the extension of sewer service to North Rose Hill.

Roberta Lewandowski, Planning and Community Development Director, said that the city's policies require annexation before extending sewer service. She explained the only exemption is for an existing house with a failing system; the city's policies allow hook up to the sewer in the case of a failing septic system, but not to facilitate

development. David Rhodes added the difference between this situation and that in North Rose Hill is that this one has a failed septic system. He explained if a homeowner's septic system is failing and the home is within 300 feet of a sewer line, the owner has to connect to the sewer. On North Rose Hill the homes are not within 300 feet of a sewer line and the area needs to be annexed to the city prior to the city building that infrastructure, he concluded.

Councilmember Paine, referring to Paragraph 9 of Redmond Municipal Code Chapter 13.36, Utility Extension Outside City Limits, noted that one of the conditions in the utility extension agreement is that development or redevelopment must meet the requirements of the city's comprehensive plan. He said redevelopment implies something more than just connecting the home.

Ms. Lewandowski said staff would look into it and report back to the Council.

Motion carried unanimously (6 - 0).

## REPORTS

### Staff Report

Roberta Lewandowski informed the Council that the Attorney General's Office made a request to file an amicus brief on the City of Redmond v. Central Puget Sound Growth Management Hearings Board case arguing that the Supreme Court should review the case. She noted that this case may have statewide implications regarding the conversion of agricultural land. The City Attorney explained the court rules provide that once the petition is made available for discretionary review, there is a period of sixty days when people can request to file an amicus brief, and that is what the Attorney General's Office, acting for the State Department of Agriculture, has requested. He said the Department of Agriculture's position is that the court's decision has broad implications to allow more urban uses of agricultural land within cities, while the city does not agree.

## OMBUDSMAN REPORT

Councilmember Dorning spoke to a representative of the United Methodist Church, who had called the city about a permit to change out some windows in the building, and was told the church would have to have an extensive historical evaluation report done. She said the church representative thought the church was exempt from the historical preservation regulations.

June 3, 2003

The City Attorney explained that churches are exempt from historic preservation policies to the extent that the policies interfere with any aspects of religious worship. The city has the right to impose the policies if the policies do not; these kinds of cases are usually decided on a case-by-case basis, he concluded.

Dianna Broadie, Planner, said the United Methodist Church property is the only church property that is considered historic, and staff told the church that compliance was voluntary. She said she had not spoken to church representatives for over a year. James L. Roberts, Assistant Planning Director, said if Councilmember Dorning could give him a name and telephone number, he would call to resolve the situation.

COGAN ANNEXATION, ANN 02-002, CHANGE TO DIRECT PETITION FOR ANNEXATION

The Mayor, in a memorandum to the City Council dated June 3, 2003, recommended approval of the Notice of Intent and authorization to circulate the Direct Petition.

Motion by Ms. Dorning, second by Ms. McCormick, that the annexation proposed by the "Notice of Intent to Petition for Annexation - Cogan Annexation (File ANN02-002)" filed with the city on May 16, 2003, be accepted and the Direct Petition be authorized for circulation. The Direct Petition must indicate that territory within the annexation contemplated and shall be subject to the following conditions:

1. All property within the proposed annexation area shall be assessed and taxed at the same rate and on the same basis as the property of the City of Redmond is assessed and taxed to pay for the portion of any then outstanding indebtedness of the City of Redmond, which indebtedness has been approved by the voters, contracted for, or incurred prior to, or existing at, the date of annexation.
2. All property within the proposed annexation area shall be subject to the Redmond Community Development Guide and the subsequent proceeding pursuant thereto.

Motion carried unanimously (6 - 0).

ORDINANCE - HISTORIC PRESERVATION, DGA 02-003

Dianna Broadie said the exhibit with the ordinance is incorrect. She said staff did not want the Council to adopt the incorrect version, and was requesting that the correct version be brought back for approval. She suggested that the Council talk about the proposed ordinance tonight to resolve any outstanding issues.

Ms. Broadie gave a description of the background for a Dual Commission System for Landmark Designation and Design Review.

Councilmember Cole said he would like to see a requirement that the special member on both boards and the additional member be Redmond residents, because they are spending city funds, and should be taxpayers. He noted that often the majority of the professional people on the Design Review Board are not Redmond residents.

The Mayor said she was a proponent of Redmond residents serving on the city's boards and commissions, but if one of the two members had knowledge and expertise in historic preservation, the city may want to consider not having Redmond residency be required for that individual. She concurred that the other member should be a resident of Redmond.

Councilmember Plackett thought Councilmember Cole's point was valid. She said the Redmond Historical Society would have an interest in having someone serve on this commission, but many of the historical society members do not live in the city. She supported one member not being a Redmond resident because expertise in historical preservation is important, and it might be difficult to find an expert who is a Redmond resident.

Councilmember Dorning suggested that the Council could state that its preference was that one of those board members be a Redmond resident, but residency should not be a requirement. She said a person's qualifications were more important than where someone lived. Councilmember Paine concurred.

Councilmember McCormick asked is there a reason the Council could not adopt the ordinance included in the March 19, 2003 Planning Commission recommendation? Ms. Broadie said that would fine, if the Council chose to give staff that direction.

Motion by Ms. McCormick, second by Ms. Dorning, to adopt Ordinance No. 2164, approving the Planning Commission

recommendation regarding historic preservation regulations, DGA 02-003, with the actual text coming from the March 19, 2003 Planning Commission report to the City Council.

Ordinance No. 2164, amending the Redmond Municipal Code and the Redmond Community Development Guide to adopt regulations related to historic preservation (DGA02-003) and establishing an effective date, was presented and read.

Upon a poll of the Council, Cole, Dorning, McCormick, Paine, Plackett, and Robinson voted aye. Motion carried unanimously (6 - 0).

#### COMMITTEE REPORTS

Councilmember Cole reminded the Council of the meeting at Kirkland City Hall on June 12, 2003 at 7:00 p.m. with Bellevue and Kirkland City Councils and state legislators.

Councilmember Cole noted the receipt of an email from staff redefining what the Council needs to look for in their email to respond to the Freedom of Information Act request regarding the West Lake Sammamish Parkway Improvements Project.

Councilmember Robinson reported that he attended the Save Lake Sammamish Committee annual meeting on May 29, 2003. He said one of the speakers talked about low-impact housing and how it relates to the lake. He wondered if the city could use the design/architect competition process for the new city hall to call attention to the environmental enhancements of each proposal. The city, he continued, has an opportunity to set an example for an environmental friendly design with the new city hall. He added he did not envision altering the size of the building or the parking.

The Mayor said she received an email about low-impact development, and staff is learning about it.

Councilmember Robinson said he toured the Maintenance and Operations Center in lieu of the Planning and Public Works Committee meeting last month. Regarding the heated storage facility, he noted the city has a lot of expensive equipment that would benefit by being sheltered from the weather. He added he would like to see something in the budget to address future MOC needs. He encouraged the rest of the Councilmembers to visit the MOC.

June 3, 2003

ADJOURNMENT

There being no further business to come before the Council,  
the Mayor declared the meeting adjourned at 8:20 p.m.

---

MAYOR

---

CITY CLERK